

2 **Senate Bill No. 117**

3 (By Senators Minard, Snyder, Prezioso,
4 Unger, Boley and K. Facemyer)

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6 [Introduced January 18, 2011; referred to the Committee on
7 Energy, Industry and Mining; and then to the Committee on the
8 Judiciary.]
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11 A BILL to amend and reenact article 3, chapter 64 of the Code of
12 West Virginia, 1931, as amended, relating to authorizing the
13 Department of Environmental Protection to promulgate a
14 legislative rule relating to permits for construction and
15 major modification of major stationary sources of air
16 pollution which cause or contribute to nonattainment.

17 *Be it enacted by the Legislature of West Virginia:*

18 That article 3, chapter 64 of the Code of West Virginia, 1931,
19 as amended, be amended and reenacted to read as follows:

20 **ARTICLE 3. AUTHORIZATION FOR DEPARTMENT OF ENVIRONMENTAL**
21 **PROTECTION TO PROMULGATE LEGISLATIVE RULES.**

22 **§64-3-1. Department of Environmental Protection.**

1 The legislative rule filed in the state register on the
2 twenty-eighth day of July, two thousand ten, authorized under the
3 authority of section four, article five, chapter twenty-two, of
4 this code, relating to the Department of Environmental Protection
5 (permits for construction and major modification of major
6 stationary sources of air pollution which cause or contribute to
7 nonattainment, 45 CSR 19), is authorized.

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9 NOTE: The purpose of this bill is to authorize the Department
10 of Environmental Protection to promulgate a legislative rule
11 relating to Permits for Construction and Major Modification of
12 Major Stationary Sources of Air Pollution Which Cause or Contribute
13 to Nonattainment.

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15 This section is new; therefore, strike-throughs and
16 underscoring have been omitted.